

EXHIBIT 1 TO ORDINANCE

**MODIFICATION NO. 2 TO AGREEMENT
FOR PROFESSIONAL ENGINEERING SERVICES FOR THE
BROWNING STREET EXTENSION FROM BROWNING STREET TO HAMBLER ROAD
(RFQ No. 568-32372)**

THIS MODIFICATION NO.2 TO AGREEMENT made and entered into this ____ day of _____, 2022, by and between the City of Lee's Summit, Missouri (hereinafter "City"), and Bartlett & West, Inc. (hereinafter "Engineer").

WITNESSETH:

WHEREAS, City and Engineer entered into an Agreement for Professional Engineering Services for the Browning Street Extension from Browning Street to Hamblen Road (RFQ No. 568-32372) dated March 26, 2019 (hereinafter "Base Agreement"); and

WHEREAS, City and Engineer modified the Base Agreement pursuant to Modification No. 1 dated September 24, 2019, to allow negotiation of additional right-of-way acquisition with UPRR and to design a sewer main extension; and

WHEREAS, City and Engineer desire to further amend the provisions of the Base Agreement, as amended, as provided herein; and

WHEREAS, Engineer has submitted a proposal for the amended engineering services and an estimate of engineering costs to perform said services; and

WHEREAS, the City Manager is authorized and empowered by City to execute contracts providing for professional engineering services.

NOW THEREFORE, in consideration of the mutual covenants and considerations herein contained, **IT IS HEREBY AGREED** by the parties hereto to amend the following Articles contained in the Base Agreement, as amended, as follows:

**ARTICLE I
SCOPE OF SERVICES TO BE PROVIDED BY THE ENGINEER**

Article I of the Base Agreement, as amended, is hereby amended to also include the services contained in *Exhibit A*, attached hereto and incorporated herein by reference.

**ARTICLE IV
PAYMENTS TO THE ENGINEER**

Article IV of the Base Agreement, as amended, is hereby amended to provide additional compensation to Engineer as follows:

- A. The additional compensation to be paid to Engineer for the amended Basic Services described in Article I of this Modification No. 2 above shall not exceed the total sum of Thirty-One Thousand Four Hundred Sixty-Nine Dollars (\$31,469.00). The total fees (hourly

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fees and expenses) for the Basic Services is hereby amended and shall not exceed the total sum of Two Hundred Forty-Five Thousand One Hundred Ninety Dollars (\$245,190.00).

- B. The amended total not to exceed amount for both the Basic Services and Optional Services is Two Hundred Forty-Five Thousand One Hundred Ninety Dollars (\$245,190.00).

**ARTICLE VIII
ALL OTHER TERMS REMAIN IN EFFECT**

All other terms of the Base Agreement, as amended, not amended by this Modification No. 2 to Agreement shall remain in full force and effect.

This Modification No. 2 to Agreement shall be binding on the parties thereto only after it has been duly executed and approved by City and Engineer.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK.]

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IN WITNESS WHEREOF, the parties have caused this Modification to Agreement to be executed on the ____ day of _____, 2022.

CITY OF LEE'S SUMMIT, MISSOURI

Stephen A. Arbo, City Manager

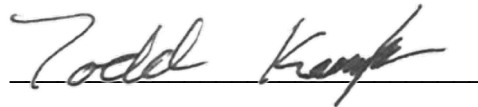
ATTEST:

City Clerk Trisha Fowler Arcuri

APPROVED AS TO FORM:

Office of City Attorney

BARTLETT & WEST, INC.



BY: Todd Kempker

TITLE: Sr. Vice President

ATTEST:



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EXHIBIT A

Scope of Work

Browning Street Construction Phase Services

The Browning Street extension to Hamblen Road is proceeding to construction. The City of Lee's Summit will provide the construction observation and lead the construction administration. The City has requested that Bartlett & West assist with construction phase services. The detailed scope below describes the services that will be provided by Bartlett & West.

Task 1 – Construction Phase Services

- 1.1 Attend preconstruction conference. City of Lee's Summit to prepare agenda and run conference.
- 1.2 Review shop drawing submittals and provide comments and approvals to City. The submittals are expected to include concrete mix designs, rebar certifications, pavement design certifications, geotextile, pavement markings, truncated domes, permanent signing, retaining wall information, sanitary sewer pipe and manholes, waterline certifications, storm sewer structures, erosion control devices.
- 1.3 Answer questions and provide clarifications on plans and intent of the design. The scope assumes 12 calls and 3 site visits.
- 1.4 Assist City in evaluating proposed change orders and requests for clarifications (RFCs) that are prepared by the contractor. The scope includes assistance with 3 change orders and 6 RFCs.
- 1.5 Attend Construction Progress Meetings (Assume 6 Meetings). City of Lee's Summit to prepare agenda and conduct meetings.
- 1.6 Attend substantial walkthrough and review punch list prepared by the City.
- 1.7 Prepare final record drawings reflecting change orders and changes as shown on marked up plans by City staff. Submit PDF plans.
- 1.8 This scope assumes no construction observation or testing. Construction administration activities such as pay estimate review, preparing the contract, reviewing certified payroll and other items specifically included above are also excluded.